

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DAVID E. CARTER,

Petitioner,

-against-

ANTHONY ANNUCCI,

Respondent.

**ORDER**

22-cv-09019 (ER)

RAMOS, D.J.:

On September 5, 2023, this Court adopted Magistrate Judge Netburn's report and recommendation (R&R) denying David E. Carter's petition for a writ of habeas corpus under 28 U.S.C. § 2254. Doc. 95. Because Carter has not made a substantial showing of the denial of a constitutional right, 28 U.S.C. § 2253(c), and because Carter failed to timely file any written objections to the R&R, *PSG Poker, LLC v. DeRosa-Grund*, No. 06 Civ. 1104 (DLC), 2008 WL 3852051, at \*3 (S.D.N.Y. Aug. 15, 2008), a certificate of appealability will not issue.

SO ORDERED.

Dated: January 17, 2024  
New York, New York



Edgardo Ramos, U.S.D.J.